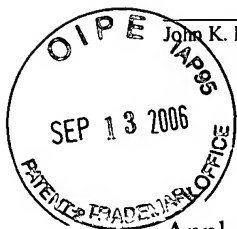


CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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John K. Fitzgerald, Reg. No. 38,881



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/816,659	Confirmation No.:	1041
Applicant	: Catherine Mary Ramsay		
Filed	: April 1, 2004		
Art Unit	: 1655		
Examiner	: Ralph J. Gitomer		
Title	: DEVICE FOR USE IN MONITORING SWAB TECHNIQUE		
Docket No.:	: URQUH-68298		
Customer No.	: 24201		

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Dear Sir:

This Communication is responsive to the Office Action dated August 8, 2006, the response for which is due September 8, 2006. The Office Action required a restriction of the application to either the inventions of claims 1-19 (Group I), claims 20-21 (Group II), and claims 22-23 (Group III).

Applicant hereby elects with traverse, Group I which the Office Action defined to include claims 1-19.

Applicant respectfully submits that all of claims should be examined within this application. The inventions of the groups of claims as set forth by the Examiner are very close,

and would pose no inconvenience to search at one time. Restricting the application in the manner directed results in very little convenience for the patent office at a significant expense to the Applicant to file divisional applications and to prosecute the unelected claims separately.

More specifically, it is very common to prosecute device and method of use claims in the same application. Accordingly, Applicants believe that at least the claims of Groups I and III should be prosecuted together in the interest of efficiency and cost containment.

CONCLUSION

Applicants respectfully request early examination and favorable consideration of the pending claims. Should the Examiner have any questions concerning the foregoing, Applicant requests that the Examiner contact Applicants attorney, John Fitzgerald, at 310-242-2667.

It is believed that no fees are due with this communication. The Commissioner is authorized to charge any additional fees which may be required under 37 CFR § 1.16 and § 1.17 to Deposit Account No. 06-2425. A duplicate copy of this sheet is enclosed.

Date: September 8, 2006

Respectfully submitted,

FULWIDER PATTON LLP

By: 
John R. Fitzgerald, Registration No. 38,881

JKF:vmm
Enclosure
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PTO/SB/21 (07-06)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/816,659
		Filing Date	4/1/2004
		First Named Inventor	Catherine Mary Ramsay
		Art Unit	1655
		Examiner Name	Ralph J. Gitomer
Total Number of Pages in This Submission	5	Attorney Docket Number	URQUH-68298

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Postcard
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	FULWIDER PATTON LLP		
Signature			
Printed name	John K. Fitzgerald		
Date	9/8/2006	Reg. No.	38,881

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Typed or printed name	John K. Fitzgerald, Reg. No. 38,881	Date	9/8/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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